

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION OPIATE
LITIGATION

This document relates to:

All cases

ALLERGAN FINANCE, LLC,

Third Party Plaintiff,

v.

PFIZER INC. and KING
PHARMACEUTICALS, INC., n/k/a KING
PHARMACEUTICALS LLC,

Third Party Defendants.

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**PFIZER INC. AND KING PHARMACEUTICALS LLC'S MOTION TO DISMISS
ALLERGAN FINANCE, LLC'S THIRD PARTY COMPLAINT**

Third Party Defendants Pfizer Inc. and King Pharmaceuticals, Inc. n/k/a King Pharmaceuticals LLC hereby move to dismiss the Third Party Complaint filed by Allergan Finance, LLC under the doctrine of *forum non conveniens*, for lack of subject matter jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1), and for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). This Motion will be supported by the pleadings, the record, and a Memorandum of Law in Support of Pfizer Inc. and King Pharmaceuticals LLC's Motion to Dismiss Allergan Finance, LLC's Third Party Complaint, which is filed contemporaneously herewith and incorporated herein by reference, oral argument, and any other evidence requested or permitted by the Court.

WHEREFORE, Pfizer Inc. and King Pharmaceuticals, Inc. n/k/a King Pharmaceuticals LLC respectfully request that the Court grant their Motion in its entirety and dismiss all of Allergan Finance, LLC's claims against them without prejudice.

Dated: October 1, 2018

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CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2018, a copy of the foregoing **Pfizer Inc. and King Pharmaceuticals LLC's Motion to Dismiss Allergan Finance, LLC's Third Party Complaint** was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Dated: October 1, 2018

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